

REMARKS

Claims 13-31 are in this application with claims 13, 14, 19-22 are amended, claims 27-28 canceled, and new claims 29-31 are added herein. No new matter is added by this amendment.

In a prior office action, claims 13-28 were objected to for including the term "real-life." As pointed out by the Examiner this term is unnecessary to the claims as the devices of the present invention are capable of measuring items on a scale drawing and indicating to a user the "actual" dimension of the measurement using the inverse of the scale ratio. Accordingly, the term "real-life" has been removed from the claims. The prior office action also indicated two additional objections regarding claims 20 and 21. These claims have been amended to address these informalities. Accordingly, withdrawal of the objections is requested.

On the merits, claims 21, and 24-27 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,484,395 to Samuels. The rejection is traversed for at least the following reasons.

Contrary to the assertion in the office action, what has been alleged to be first and second indicia in Samuels, elements 20 (the number 3, 6, and 9) and 18 are not in fact related by the inverse of the first scale as recited in claim 21. Both elements 20 and 18 have a scale of $\frac{1}{4}"=1"$. It is submitted that these are not inverse of one another. The numbers 3, 6, and 9 represent respectively 3, 6 and 9 inches, when depicted at $\frac{1}{4}"=1"$ scale, thus the alleged indicia of element 20 and element 18 are not related to each other by the inverse of the scale.

In contrast to the teachings of Samuels, claim 21 shows an embodiment of the present invention such as depicted in Fig. 1 where a first set of indicia 22a shows inches and next to 22a is the number 1. In contrast the second set of indicia show a scale of $\frac{1}{8}"=1$ foot. As a result next to 22a is the number 8, representing 8 feet. 8 inch on the second set of indicia and 1 inch are related by the inverse of the scale ratio of $\frac{1}{8}"=1$ foot.

Accordingly, it is submitted that independent claims 21 and 24-26 distinguish over the relied upon portions of Samuels and are allowable. Claim 27 has been canceled, thus the rejection of this claim has been rendered moot.

Claims 13-23, 27 and 28 are rejected under 35 U.S.C. § 103(a) as unpatentable over Samuels in view of U.S. Patent No. 4,314,408 to Shoemaker.

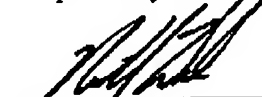
As discussed above, Samuels, contrary to the argument expressed in the office action does not depict two sets of indicia wherein the scale ratio of the second indicia is the inverse of the first indicia. Moreover, Samuels is not a "tape measurement device" but rather a ruler.

The method claims are distinguishable over the cited art for reasons that rest on the same foundation as those in the presently claimed device. And claims 27 and 28 have been cancelled herein. All dependent claims are allowable for at least the same reasons as the independent claim from which they depend. Accordingly, it is submitted that claims 13-23 and 29-30 patentably distinguish over the relied upon portions of the cited references and are allowable.

With respect to new claim 31, it is submitted that the heretofore relied upon references fail each and every element of these claims and therefore it too is allowable.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action. Any fee due with this paper, including any necessary extension fees, may be charged on Deposit Account 50-1290.

Respectfully submitted,



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